

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION**

**IN RE: ETHICON, INC., PELVIC  
REPAIR SYSTEM PRODUCTS  
LIABILITY LITIGATION**

**MDL No. 2327**

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**THIS DOCUMENT RELATES TO ALL CASES**

**APPLICATION OF KAREN BARTH MENZIES FOR  
APPOINTMENT TO THE PLAINTIFFS' STEERING COMMITTEE**

Please consider this my Application to the Plaintiffs' Steering Committee. In support thereof, applicant shows this Court that applicant is well versed in mass tort litigation and has the willingness and availability to work with others.

**PROFESSIONAL EXPERIENCE**

I am a partner at the law firm of Robinson Calcagnie Robinson Shapiro Davis, Inc., and I have been representing plaintiffs in mass tort litigation for seventeen (17) years. In 2003, I was appointed Lead Counsel for the Plaintiffs' Steering Committee in the Paxil Products Liability Litigation (MDL 1574), The Honorable Marianna Pfaelzer presiding, which ultimately resulted in the resolution of over 3,000 cases. In 2006, I was appointed co-lead/liaison counsel in the Paxil birth defect and PPHN cases pending in the Pennsylvania state court Mass Tort Program in the Philadelphia Court of Common Pleas, The Honorable Sandra Moss presiding. In 2008, I was appointed to the Plaintiffs' Steering Committee in the Avandia Marketing, Sales Practices and Products Liability Litigation (MDL 1871), The Honorable Cynthia Rufe presiding. In 2009, I was appointed to the Science Committee in the Heparin Products Liability Litigation (MDL 1953), The Honorable James G. Carr presiding, while my partners Mark P. Robinson and Daniel Robinson served on the Plaintiffs' Steering Committee. In 2011, I was appointed Plaintiffs' Liaison and member of the Plaintiffs' Executive Committee in the Fosamax/Alendronate Drug Cases, California state court coordinated action, JCCP No. 4644, The Honorable Steven L. Perk presiding.

I received my Bachelor of Arts Degree from Colorado State University in 1989 and my Juris Doctorate from University of California at Davis in 1995 and was admitted to the bar that same year. I served as an intern for Justice Rodney Davis, California 3<sup>rd</sup> District Court of Appeal (1994), the Colorado Attorney General's Office (1993), the California Attorney General's Office (1994), and the Sacramento District Attorney's Office (1995). I joined the firm of Baum Hedlund in 1995 where, within two years, I became a shareholder and eventually a named partner. In 2007, I joined the firm of Robinson, Calcagnie, Robinson, Shapiro Davis, Inc., located in Newport Beach, California, and I head up the firm's Los Angeles office, which opened in January 2011.

I have an AV rating, the highest rating for legal ability and ethical standards under the peer review system of Martindale-Hubbell, the national legal directory. I have received various awards from legal organizations including, *Lawyer of the Year* by Lawyer's Weekly USA (2004), *California Lawyer of the Year* by California Lawyer magazine (2005), The National Law Journal's *Top 40 Under 40* (2005), *Consumer Attorney of the Year Finalist* by Consumer Attorneys of California (2006), Southern California Super Lawyers (2004 through 2011).

I have testified three times before FDA advisory boards and twice before Senate Committees from the California State Legislature regarding drug and consumer safety issues. I have authored more than 20 publications and given more than 50 lectures to both legal and medical organizations (nationally and internationally) on the topics of drug safety, mass tort litigation, FDA reform and federal preemption.

My firm, which includes eight partners and 18 associates, has been representing plaintiffs for over 30 years in both products liability and drug litigation. Since 1978, when senior partner Mark P. Robinson, Jr., served as co-counsel for the plaintiff in the historic Ford Pinto gas tank fire case, *Grimshaw v. Ford Motor Company*, the firm has been recognized as a leader in product and drug liability litigation. Mr. Robinson has served as a member of Plaintiffs' Steering Committees ("PSC") and/or leader of the California coordinated litigation in cases involving

Toyota (Co-Lead Liaison), Yaz/Yasmin (PSC), Vioxx (MDL PSC, CA PSC), Tobacco (Castano National Committee, CA Co-Lead), Heparin (PSC), Fen-Phen (CA Liaison), Baycol (MDL PSC, CA Lead), PPA (MDL PSC, CA Lead), Zyprexa (MDL PSC), Bextra/Celebrex (MDL PSC), Sulzer Orthopedics (CA PSC), Breast Implants, Propulsid (MDL Ex-Officio), Rezulin (MDL PSC, CA Liaison), Ortho-Evra (CA Lead), Bridgestone/Firestone Tires (MDL PSC, CA Lead).

### **ABILITY TO WORK COOPERATIVELY WITH OTHERS**

My firm and I have a reputation for working cooperatively with law firms on both sides, as well as with the Court. For example, during the Paxil MDL, I coordinated the attorneys and staff from the four PSC law firms and helped coordinate the many non-PSC lawyers and the in pro per plaintiffs. The MDL judge asked me to act as a liaison with the court appointed mediator and the defendant to help mediate the non-PSC attorneys' cases, as well as the in pro per plaintiffs' cases (for which I did not receive any fees). All the cases were eventually resolved through this process.

### **AVAILABILITY**

I am available and my firm has the financial resources to dedicate to this litigation. We have multiple experienced attorneys and paralegals currently working on this litigation. We have recently hired some additional young attorneys who will be involved in this litigation, as well. I am available to travel to Charleston and elsewhere, as often as needed.

Dated: March 29, 2012

Respectfully submitted,

/s/ Karen Barth Menzies

Karen Barth Menzies, CA Bar No. 180234

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